

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**JOSEPH MARION HEAD,**

Petitioner,

Civil Action

v.

No. 04-40042-RGS

**DAVID L. WINN,**

Respondent.

ORDER ON APPLICATION TO PROCEED  
WITHOUT PREPAYMENT OF FEES

Having considered the petitioner's May 26, 2004, Application to Proceed Without Prepayment of Fees under 28 U.S.C. § 1915;

It is ORDERED that:

- ☐ The application to proceed without prepayment of fees is GRANTED.
- ☒ It is FURTHER ORDERED that the application is DENIED for the following reasons:

The inmate inquiry report accompanying the Application to Proceed Without Prepayment of Fees indicates that petitioner has \$40.74 in his prison account.

- ☒ It is FURTHER ORDERED that petitioner must pay the \$5.00 filing fee to the Clerk of Court within forty-two (42) days from the date of this Order, or this action will be subject to dismissal.

6/1/04  
DATE

/s/ Richard G. Stearns  
RICHARD G. STEARNS  
UNITED STATES DISTRICT JUDGE